

House File 418 - Enrolled

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HOUSE FILE 418

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1 3 AN ACT
1 4 CONCERNING BILLING FOR ANATOMIC PATHOLOGY SERVICES AND MAKING
1 5 LICENSING SANCTIONS APPLICABLE.
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1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 8
1 9 Section 1. NEW SECTION. 147.105 ANATOMIC PATHOLOGY
1 10 SERVICES == BILLING.
1 11 1. A physician or a clinical laboratory located in this
1 12 state or in another state that provides anatomic pathology
1 13 services to a patient in this state shall present or cause to
1 14 be presented a claim, bill, or demand for payment for such
1 15 services only to the following persons:
1 16 a. The patient who is the recipient of the services.
1 17 b. The insurer or other third-party payor responsible for
1 18 payment of the services.
1 19 c. The hospital that ordered the services.
1 20 d. The public health clinic or nonprofit clinic that
1 21 ordered the services.
1 22 e. The referring clinical laboratory, other than the
1 23 laboratory of a physician's office or group practice, that
1 24 ordered the services.
1 25 f. A governmental agency or a specified public or private
1 26 agent, agency, or organization that is responsible for payment
1 27 of the services on behalf of the recipient of the services.
1 28 2. Except as provided under subsections 5 and 6, a
1 29 clinical laboratory or a physician providing anatomic
1 30 pathology services to patients in this state shall not,
1 31 directly or indirectly, charge, bill, or otherwise solicit
1 32 payment for such services unless the services were personally
1 33 rendered by a physician or under the direct supervision of a
1 34 physician in accordance with section 353 of the federal Public
1 35 Health Service Act, 42 U.S.C. } 263a.
2 1 3. A person to whom a claim, bill, or demand for payment
2 2 for anatomic pathology services is submitted is not required
2 3 to pay the claim, bill, or demand for payment if the claim,
2 4 bill, or demand for payment is submitted in violation of this
2 5 section.
2 6 4. This section shall not be construed to mandate the
2 7 assignment of benefits for anatomic pathology services as
2 8 defined in this section.
2 9 5. This section does not prohibit claims or charges
2 10 presented by a referring clinical laboratory, other than a
2 11 laboratory of a physician's office or group practice, to
2 12 another clinical laboratory when samples are transferred
2 13 between laboratories for the provision of anatomic pathology
2 14 services.
2 15 6. This section does not prohibit claims or charges for
2 16 anatomic pathology services presented on behalf of a public
2 17 health clinic or nonprofit clinic that ordered the services
2 18 provided that the clinic is identified on the claim or charge
2 19 presented.
2 20 7. A violation of this section by a physician shall
2 21 subject the physician to the disciplinary provisions of
2 22 section 272C.3, subsection 2.
2 23 8. As used in this section:
2 24 a. "Anatomic pathology services" includes all of the
2 25 following:
2 26 (1) Histopathology or surgical pathology, meaning the
2 27 gross and microscopic examination and histologic processing of
2 28 organ tissue, performed by a physician or under the
2 29 supervision of a physician.
2 30 (2) Cytopathology, meaning the examination of cells from
2 31 fluids, aspirates, washings, brushings, or smears, including
2 32 the pap test examination, performed by a physician or under
2 33 the supervision of a physician.
2 34 (3) Hematology, meaning the microscopic evaluation of bone
2 35 marrow aspirates and biopsies performed by a physician or
3 1 under the supervision of a physician, and the examination of
3 2 peripheral blood smears, performed by a physician or under the
3 3 supervision of a physician, upon the request of an attending
3 4 or treating physician or technologist that a blood smear be
3 5 reviewed by a physician.

3 6 (4) Subcellular pathology and molecular pathology
3 7 services, performed by a physician or under the supervision of
3 8 a physician.
3 9 (5) Bloodbanking services, performed by a physician or
3 10 under the supervision of a physician.
3 11 b. "Physician" means any person licensed to practice
3 12 medicine and surgery, osteopathic medicine and surgery, or
3 13 osteopathy in this state or in another state.

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3 18 CHRISTOPHER C. RANTS
3 19 Speaker of the House

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3 23 JEFFREY M. LAMBERTI
3 24 President of the Senate

3 25 I hereby certify that this bill originated in the House and
3 26 is known as House File 418, Eighty-first General Assembly.
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3 31 MARGARET THOMSON
3 32 Chief Clerk of the House

3 33 Approved _____, 2005
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4 2 THOMAS J. VILSACK
4 3 Governor